

RECEIVED
IN LAKE CHARLES, LA.

MAR 1 2013

TONY R. MOORE CLERK
BY *PM* DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

AMY PORTER, INDIVIDUALLY, : DOCKET NO. 2:12-CV-1986
AND KEVIN LANGLEY,
INDIVIDUALLY, AND ON BEHALF
OF THEIR FATHER, GARY
LANGLEY

VS. : JUDGE MINALDI

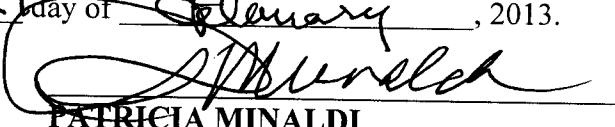
DEERE & COMPANY, INC., JOHN
DEERE CONSTRUCTION &
FORESTRY COMPANY, MIKE
MARTIN, QUALITY EQUIPMENT
COMPANY, INC., AND F. HOLLIER
& SONS, INC. : MAGISTRATE JUDGE KAY

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein [Doc. 9] and the corresponding Memorandum Order [Doc. 8], and after an independent review of the record and a *de novo* determination of the issues, and consideration of the objections [Doc. 11] filed herein, and having determined that the findings are correct under applicable law;

IT IS ORDERED that plaintiff's claims against Mike Martin be **DISMISSED**. As Martin was the only non-diverse defendant from the plaintiffs, the Magistrate Judge's corresponding ruling denying the plaintiff's Motion to Remand is **AFFIRMED**.

Lake Charles, Louisiana, on this the 27 day of January, 2013.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE